IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION No. 18026 of 2004

Between:

Mohd. Moizuddin, S/o.Shaik Gulam Nabi,
R/o.H.No.1-46, Kohir village and Mandal,
Medak Dist.

..... PETITIONER

AND

1 The Executive officer, Kohir Gram Panchayat, Medak Dist.
2 The Managing Committee, Jama Masjid, Kohir Village & Mandal,

Medak Dist.
3 Mohd. Moinuddin, S/o.Shaik Gulam Nabi,
R/o.H.No.1-46, Kohir Village & Mandal,
Medak Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly a writ in the nature of writ of Mandamus declaring the proceedings No.5/GPK /IP/2003/04 dated 16-8-2004 issued by the 1st respondent as illegal and arbitrary and consequently set aside the same.

Counsel for the Petitioner : Mr.A.RAVI SHANKAR

Counsel for Respondent No.1: SMT.JYOTHI ESWAR GOGINENI

The Court made the following :

ORDER:

Heard the learned counsel for petitioner and the learned counsel for respondents.

The petitioner claims to be owner of H.No.1-46 at Kohir village wherein he also constructed two mulgies bearing Door Nos.1-47 and 1-48. It is stated that he issued a notice to the first respondent on 3.7.2004 stating that his brother-third respondent obtained certain signatures on some papers and requested not to mutate the name of the second respondent in the Gram panchayat records and not to act upon the alleged gift deed, but in spite of the same, the first respondent by impugned proceedings dated 16.8.2004 mutated the name of the second respondent in the gram panchayat records. Questioning the said action, the present writ petition is filed.

Against any order passed by the Gram Panchayat in transferring the property and mutating the names in the gram panchayat records, the petitioner can file appeal before the District Panchayat Officer.

In the circumstances, the writ petition is accordingly dismissed giving liberty to the petitioner to approach the District Panchayat Officer by filing appropriate application and to pursue his remedies. No order as to costs.

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A.GOPAL REDDY, J

Date: 6.10.2004

DA

To

1 The Executive officer, Kohir Gram Panchayat, Medak Dist.
2 The Managing Committee, Jama Masjid, Kohir Village & Mandal,

Medak Dist.

3 Two CD copies.